



The Restaurant Association of Maryland is the most trusted source for restaurant advocacy, regulatory compliance information, foodservice employee training and restaurant-focused vendors.

February 24, 2021

Dear Governor Hogan,

On behalf of the restaurant industry, we would like to thank you for your leadership during this pandemic. We are encouraged by the decreasing metrics of COVID and the positive direction of the state. The restaurant and foodservice industry has been encouraged by your willingness to keep Maryland open for business and believe that now is the time to consider taking the next steps.

We are grateful for your proactive steps to lift the dining curfew and the millions of dollars in restaurant relief funds that you have authorized. However, for restaurants to move fully into a recovery phase they must be permitted to operate with limited restrictions and customers must begin dining out regularly again. Therefore, we ask that the following restrictions be lifted:

- Restaurant buffets should be permitted to reopen under the guidelines developed by the Maryland Department of Health
- Increase table capacity limits to 10 people
- Allow for barriers between booth seating, rather than the mandate to close every other booth
- Move restaurant employees, who are considered essential workers, to phase 1C of the COVID vaccination plan
- Allow local jurisdictions to have more control of lifting restrictions rather than just implementing more restrictive measures
- Announce a timeline for increasing indoor capacity back to 75%

Restaurant Buffets

The CDC has confirmed that “Spread from touching surfaces is not thought to be the main way the virus spreads.” Therefore, self-serve buffets should be considered no less safe than other restaurants and retail stores because customers must wear a mask while not sitting at their table, and especially while going to the buffet.

The Maryland Department of Health already has approved guidelines for buffets that are ready for publication when the decision is made to allow them to reopen. These guidelines are more stringent than what is expected of other full-service restaurants and retail stores with an emphasis on managing the flow of customers, enforcing proper distancing and frequent sanitation. These guidelines should give you the assurance that self-serve buffets can operate safely – as has been the case in other states where buffets have been open for months.

Many self-serve buffet restaurants remain closed because they were unable to pivot to provide a carryout, delivery, or full-service model. With the holiday COVID surge behind us and with their own set of more stringent guidelines in place, there should be no objection to treating self-serve restaurant buffets like all other full-service restaurants.

Table Capacity

Increasing table capacity to 10 people will allow restaurants to accommodate more customers and generate more revenue while also continuing to provide a safe and regulated dining environment. The CDC has not provided any guidance as to how many customers should be allowed per restaurant table. There also has not been any published studies that clearly define any limit either. Increasing table capacities will go a long way to assist restaurants with a negligible risk to public safety.

Barriers between Tables

Local health departments will be able to monitor and approve such barriers as to keep the intent of proper social distancing and safety. Opening these now empty booths for seating will help restaurants accommodate more customers safely. These barriers are already permitted in schools as part of *Maryland's Recovery Plan for Education*, as well as for outside restaurant seating, therefore barriers should also be permitted in restaurant dining rooms.

Vaccinations for Restaurant Employees

Restaurant employees are part of the essential workforce, yet restaurants have been the most significantly restricted during this pandemic. This has led to many in the public questioning the safety of restaurants and therefore not patronizing them. To provide an even safer workforce and build consumer confidence that restaurants are and will remain safe, these employees should be on the same tier as grocery store employees – Phase 1C.

Local Control

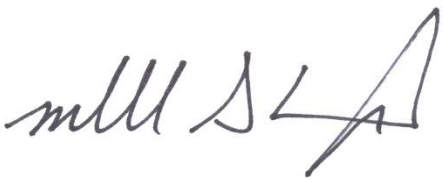
Local jurisdictions should have the authority to lift restrictions as the metrics and situations in their jurisdictions permit. Many jurisdictions are not experiencing the concerning number of COVID cases that are seen in some of the more populated locations and they could safely lift restrictions if permitted to do so. The state could set guidelines, parameters, and specific data points for local jurisdictions to achieve in order to ease restrictions. Many states are already following such a model.

75% Indoor Capacity

As restaurants try to plan for the future and secure employees for critical positions, having a timeline or set of expectations will be helpful. As of today, the COVID positivity rate is approaching the same rates seen in October 2020 when 75% capacity was still in effect.

We welcome the opportunity to discuss these steps in more detail and hope that these measures can be implemented in the coming weeks. As more Marylanders become vaccinated and with the lessons learned over the past months, restaurants and other foodservice businesses are prepared to continue to offer a safe dining experience and look forward to the steps of recovery.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'mlll S L A', with a large, stylized flourish at the end.

Marshall Weston
President & CEO
Restaurant Association of Maryland